

in the united states
 district court
 western Division

FILED
 KENNETH J. MURPHY
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03 SEP 26 PM 12:26

Rayshon Motley
 vs

Judge Dkt H
 NO. 139

MONROE PARKS ETAL

Plaintiff's Reply to defendants opposition to
 Plaintiff's motion to strike

Defendants assert that plaintiff motion ~~and~~
~~or~~ to strike should be denied and cite
 several exhibits ~~and~~ for the reason's why

on september 11th 2003 plaintiff received a motion
 from defendants to file exhibits ~~manually~~
 But defendant assert ~~the~~ documents was received
 at SOCF on september 12th 2003. But if this
 Court look and defendants Ex. (A) it states up
 top "Dkt received 9-12-03" But At the Bottom
 it states delivered "9-13-03" 9-13-03 is a
 Saturday the mail room at SOCF is closed on
 Saturdays and no mail legal or not is delivered
 which proves defendants claim is untrue

At the time plaintiff received defendants motion
 for ~~summary~~ to file exhibits manually plaintiff
 had not received defendants motion for summary
 judgement which led to plaintiff's motion to strike
 due to defendants ~~stop~~ stop its motion for summary
 judgement was filed september 8, 2003. plaintiff
 received defendants motion for summary judgement
 @ "eight dots" later on september 15 2003. which is
 well beyond the three mailing privilege. defendant
 refer to its own exhibit (C) as to prove ~~the~~ its
 motion for summary judgement on september 8, 2003
 But if you look at defendants exhibit (B) the
 date is 9-15-03 and not 9-8-03.

Attached is plaintiff exhibit (A) which is the certificate of service to defendants motion for summary judgement which holds no date as to when it was ~~mailed~~ mailed to plaintiff which was (8) days later. defendants purposely mailed plaintiff ~~motion~~ a copy of the motion (8) days late to hinder the time frame in which I must respond to the said motion. for these reasons plaintiff motion should be granted

if this court decides not to grant plaintiffs motion plaintiff request that this court stays defendants motion for summary judgement until plaintiffs motion to compel ~~to~~ has be ruled on

Ruphar Watty

a copy of the foregoing was sent to
MORRIS PRESSMAN at 1600 Coker tower 441
vine st ~~city~~ Cincinnati OH 45202 by Regular U.S
mail on this 23rd day of september 2003

Ruphar Watty